IN THE HIGH COURT OF JUDICAUTRE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 640 OF 2005
IN
SUMMARY SUIT NO. 3577 OF 2004

Biochem Pharmaceutical Industries
and Ors. ... Plaintiff

Versus

R.S. Thanawala ... Defendant

Ms. Radhika Pirade i/by M & M Legal Venture for Plaintiff.

Mr. U.Z. Kankaria i/by Mr. S.S. Deshmukh for Defendant/Applicants.

CORAM : A.M. KHANWILKAR,J.
DATED : JUNE 13, 2005

P.C.

. Heard counsel for the parties. No reply has been filed by the Plaintiff. It is an application for condonation of delay in entering appearance on behalf of the defendants in the suit. The counsel for the Plaintiff has opposed this application on the argument that the cause set out in the affidavit in support of the chamber summons is not sufficient. However, as no reply has been filed, controverting the assertions made in the affidavit and the same having remained uncontroverted, I am inclined to allow chamber summons for the reasons recorded therein. Accordingly, chamber summons made absolute in terms of Prayer Clauses (a) and (b) on a condition that the applicant shall pay cost to the plaintiff quantified at Rs. 5,000/-

within one week from today as a conditional order.

(A.M. KHANWILKAR,J.)